



TOWN OF HUDSON

Conservation Commission



William Collins Chairman

Dave Morin, Selectmen Liaison

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DATE: January 25, 2021

MEETING MINUTES: Below is a listing of minutes for the Hudson Conservation Commission. Minutes are not a verbatim record of each meeting, but rather represent a summary of the discussion and actions taken at the meeting. All Conservation Commission meetings are televised live and repeated during the following week on HCTV, cable television channel 22. Official copies of the minutes are available to read and copy at the Town Engineer's Office during regular business hours (Monday through Friday, 8:00 A.M. to 4:30 P.M.).

Should you have any questions concerning these minutes or wish to see the original recording, please contact the Town Engineer's Office at 603-886-6008.

In attendance = X Alternates Seated = S Partial Attendance = P Excused Absence = E

William Collins Chairman <u> X </u>	Ken Dickinson Vice-Chair <u> X </u>	Paula Hubert Member <u> X (Remote) </u>
Randy Brownrigg Member <u> X </u>	David Morin Select. Rep. <u> X </u>	Elvis Dhima Town Engineer <u> X </u>

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- I. CALL TO ORDER BY CHAIRPERSON AT 7:00 P.M.
 - II. PLEDGE OF ALLEGIANCE
 - III. ROLL CALL
 - IV. SEATING OF ALTERNATES None

Public Input Related to Non-Agenda Items: None

V. Old Business

A. Conditional Use Permit Application Review: Hudson Logistics Center – Green Meadows Golf Course; Map: 234, Lot 005-000 and Map: 239, Lot 001-000

Applicant Representatives Mr. Justin Pasay, Hillwood Vice president Michael Alderman and Wetland Scientist Brendan Quigley were in attendance. Applicant representatives attending remotely were John Plant, Nate Christner, Michael Hunton and Tim O'neil

Mr. Pasay started off the evening providing updates on the proposed Logistic Center project. He thanked all those involved both on the town side and on the applicant's side for enduring a long but meaningful process and stated through recommendations put forth by local residents and conservation commission members that the applicant was further minimize wetland and wetland buffer impacts. He stated that the applicant is also willing to take extensive measures to produce a restoration plan that will exceed normal expectations. Mr. Pasay closed his remarks stating that the applicant has minimized and avoided impacts to the greatest extent possible.

Hillwood Vice President Michael Alderman echoed Mr. Pasay's appreciation for all those involved up to this point and added that it has been a productive process. Mr. Alderman went on to present a series of slides showing elements that could be implemented into the Green Meadows Project. The slides showed what types of screening could be employed along with a berm concept that would be built to screen the residential neighborhood from the building.

Michael Hunton from Langen Engineering also provided input on the berm and screening technique being proposed and stated that after the two year warranty period the area would be left to grow naturally.

Wetland Scientist Brendan Quigley took over the presentation with information pertaining to planned restoration of areas throughout the property. Mr. Quigley continued the slide presentation showing examples of restorations that took place on other properties in the pre and post states and explained how these have thrived. Mr. Quigley also spoke to the wetland and wetland buffer impacts and mentioned that all possible minimization techniques were employed to address impacts.

Mr. Tim O'Neil from Langen Engineering followed Mr. Quigley and discussed alternative roadway and rotary alignments and showed the variations in wetland and wetland buffer impacts when utilizing each technique. Mr. O'Neil also touched on water runoff and the Limit Brook watershed stating that only a small portion of this area will be impacted with the current road system lay out.

At the conclusion of the presentation by Hillwood representatives the chairman allowed for a brief recess at 7:50 p.m. to queue up public comment and questions on the call in line to the meeting.

Chairman Collins called the meeting back into session at 8:00 p.m. He then opened the comment and questions portion up the commission members.

Commission member Ken Dickinson asked if drill seeding would be used. Mr. Hunton said that it would be used to get the best results for the rehabilitation of the designation areas. Mr. Hunton also said that this technique offers the most evasive way to minimize impacts in the area. Some of the other concerns such as the proposed rehabilitation area along the Merrimack River were also addressed.

Commission member Paula Hubert asked about maintenance of the proposed berm. Mr. Pasay stated that the southern side of the berm would be allowed to naturalize into the current landscape. Michael Hunton and Branden Quickly echoed Mr. Pasay's response. Mrs. Hubert asked how all of this would apply to what's proposed when this property is close to a residential development. Mr. Alderman fielded the question and again showed examples of how the proposed sound wall and berm would look and fit into the design.

Commission member Randy Brownrigg asked about the parking space size being proposed and whether or not the application tonight would have to be reconsidered if the planning board rejected the reduction in space size. His thoughts being that the requirement for a large space size would result in a larger impact to the wetland buffer area. Mr. Brownrigg also asked about storm water control in the areas of the wetland crossings his concerns being pollutants such as oil and gas entering the surrounding wetlands. Mr. O'Neil answered stating that the roadway would have curbing to direct storm water into catch basins that would prevent this type of scenario. Mr. Brownrigg expressed a concern about the designed infiltration basins and whether or not adequate water resources were available to handle the large restoration plan being proposed.

Commission Chairman Mr. Collins asked if there were any plans for restoration along the proposed Green Meadow Drive where it services both Mercury Systems and the proposed HLC. Mr. Quigley stated that those areas along the northern side of the road would be treated in a standard way. Mr. Hunton added that the area 5 foot off the roadway would be maintained and areas beyond that would be reseeded and allowed to naturalize.

With commission member's questions and concerns addressed Mr. Collins asked if anybody from the public would like to come forward to ask questions or provide comment on tonight's topics. Those coming forward were:

Mr. James Crowley, 4 Fairway Drive read a prepared statement which covered the topic of storm water management and roadway design.

Mr. Ed Thompson, 22 Burns Hill Road asked about the possibility of a site plan change due to incorporation of a septic system. Mr. Collins pointed out that tonight's meeting was what was presently before the commission and that the hypothetical site changes could not be considered.

Mr. John Debuic, 11 Eagle Drive read a prepared statement on wetland impacts which stated that project could have been designed to eliminate all wetland impacts.

Mrs. Katherine Leary, 8 Par Lane Asked about the Hydrogen Tanks being proposed for the site. A short discussion took place in regards to this matter and all referrals to this matter will be addressed at the planning board level.

Mr. (unknown), 8 Par Lane, Asked about the sound wall and future maintenance. Mr. Pasay said that this topic would be addressed at the planning board.

Mr. Dean Sakati, 11 Fairway Drive, Asked if a better representation of the berm and sound wall could be presented. He also stated that there would be a disproportionate amount of timber removed from the site as compared to what would be planted. Lastly, Mr. Sakati stated that the amount of disturbance in the upland area would have a significant impact on ground water recharge to the surrounding watersheds

Mr. Bill Kallgren, 11 Winslow Farm Road Asked if there was a limit in slope that the berm can be constructed to and asked if there was a possibility that sewage could enter the wetland.

(Remote) Mr. Robert Chesler, 14 Fairway Drive Asked if the vehicular and pedestrian traffic using the private roads on the site be employees. Mr. Pasay replied that they would. Mr. Chesler also asked if the flow of Limit Brook was properly identified coming from a westerly direction. Mr. Hunton answered that the flow of Limit Brook comes from the east. Lastly Mr. Chesler asked whether or not, debris from a failure of the Hydrogen tanks could reach the wetlands. Mr. Dhima answered that these tanks are out of the buffer areas and further inquiries should be made at the planning board level and the current fire chief.

With no other comments or questions from the public the Chairman called a recess of the meeting at 9:15 pm.

Chairman Collins called the meeting back into session at 9:20 p.m. At the resumption of the meeting Applicant representative Justin Pasay again reiterated that the project abides by Hudson Zoning Ordinance regulations and meets all state requirements. He stated that all wetland and wetland buffer impacts have been designed to improve current condition and not diminish wetland functions on the site.

Commission member Ken Dickinson asked about the future of the pump houses currently on the property. Mr. Plant from Langen Engineering stated that these facilities are used for irrigation purposes on and off site and that there are no current plans for these pump houses.

Commission member Paula Hubert asked if there were more examples of similar projects that were built along any rivers or large bodies of water. Applicant attorney representative John Smolack answered that a project in North Andover Ma. is currently undergoing site plan review and that North Andover Conservation Commission has accepted the project.

Commission member Randy Brownrigg stated that he now understands the purpose of the proposed hydrogen tanks and apologized for his outburst earlier in the evening.

With no additional questions from the commission members, Chairman Collins asked if the applicant had any more information that they would like to present. No further information was presented for consideration. The Chairman then asked if the commission was ready to make a determination on the matter. Mr. Brownrigg suggested that a vote be taken to see if members were ready to move forward. Mr. Brownrigg then moved to poll the commission as to their stance. Mr. Dickinson said that he was ready and seconded the motion.

Roll Call Vote: Mr. Brownrigg Yes, Mr. Dickinson Yes, Mrs. Hubert No, Mr. Collins Yes
Motion carried 3/1/0

Reason for dissenting vote: Mrs. Hubert said she wasn't informed enough to move forward.

Commission members Collins, Brownrigg and Dickinson all concurred that they were ready to move forward with a final decision to either recommend or not recommend the proposal. Chairman Collins stated that there were draft motions prepared to either recommend or not recommend the proposal and left it to the members to decide. Mr. Dickinson stated that he could pick at this projected in a never ending cycle and that it was time to move it forward, with that said Mr. Dickinson moved to recommend a favorable acceptance of the Conditional Use Permit application to the Hudson Planning Board for the application filed by representatives of HillWood Logistic Center reference Tax Map 234, Lots 5, 34 & 35 and Map 239, Lot 1 dated April 21, 2020, revised 5/19/20 and 1/18/21. After CUP application review by the Hudson Conservation Commission we find that the uses presented by the applicant for access to the upland portion of the property and for storm water management comply with Town of Hudson Zoning Ordinance 334, Article IX- Wetland Conservation Overlay District, paragraph 334-36(C) 2 through 4 and 334-37. This favorable acceptance is contingent upon Planning Board approval of the proposed plan and with the recommendations of the Hudson Conservation Commission listed below. This motion is based on the plan(s) submitted by the applicant. It is recommended that if additional wetland and wetland buffer impacts are made the plan be returned to the Conservation Commission for further review.

Recommendations by the Hudson Conservation Commission to the Planning Board to address potential environmental issue during construction and as part of any Condition of Approval by the Planning Board.

1. Construction and restoration shall comply with Best Management Practices set forth in New Hampshire Storm Water Manual Volume 3: Erosion and Sediment Control
2. During construction and restoration erosion control barriers shall be installed and maintained to the satisfaction of the Town Engineer and the Hudson Conservation Commission.
3. Conservation Commission members shall be allowed to inspect the boundaries of the wetland and wetland buffer areas during construction and report any finding to the applicant and Town engineer for immediate remediation.

4. A stipulation and or note should be added to the plan that states "Construction vehicles (non-refueling vehicles) shall not be parked within 25 feet of any wetland or wetland buffer boundaries overnight".
5. A stipulation and or note should be added to the plan that states "Refueling vehicles shall not be parked overnight or left unattended within 50 feet of any wetland or wetland buffer boundaries".
6. A stipulation and or note should be added to the plan that states "Stockpiling of construction materials is not allowed in the wetland or wetland buffer areas of the site or in areas designated for permanent conservation".
7. Due to the nature of this project which will create large areas of impervious surfaces the applicant should consider the use of alternate materials such as pervious concrete

and-or asphalt pervious pavement to help with ground water recharge and minimize the need for snow and ice control chemicals i.e. Sidewalks, Handicap Parking and other low use areas are good candidates for this type of surface.
8. A stipulation and or note should be added to the plan that states "Storage sheds for chemicals used to manage snow and ice at the site shall not be placed within 50 feet of the wetland or wetland buffer areas and such storage areas shall be shown on the final plan set.
9. Members of the conservation commission would like to witness the draw down and relocation of wildlife of the manmade ponds listed as impact areas a two day notice should be provided to the Town of Hudson Engineering Department to facilitate this request.

Recommendations by the Hudson Conservation Commission to the Planning Board to address Restoration and Landscaping of areas that were presented by the applicant and as part of any Condition of Approval by the Planning Board.

10. Add third party monitor for plantings, i.e. Professional Landscape Architect and/or Professional Wetland Scientist to perform monthly visits during the growing season for a 3 year period and submit maintenance logs to the Town Engineer and Commission on a quarterly basis.
11. Any vegetation associated with post-construction BMP's to be suitably established to withstand erosion.
12. Provide maintenance paths for planting areas within the conservation easement to be constructed of pervious material wide enough to accommodate a mini excavator and skid

steer capable of transplanting a 6" caliper tree (8 foot minimum width). Provide similar sufficient maintenance access between sound wall and southern property line.

Landscaping specific stipulations

13. Any proposed landscaping within jurisdictional resource areas shall consist of species native to northeastern USA region. Prior to implementation, a final landscape plan with plant schedule, shall be submitted to the Town for review and approval.
14. Invoices for the purchase of native New England Seed Mixes/plantings referenced in Condition #4 above shall be provided to the Engineering Department upon availability and before install/ seed application in the field.
15. Prior to final seeding, an invasive species inventory shall be performed to provide Baseline documentation of invasive species that are either within restored areas or Adjacent thereto.
16. Under the supervision of a qualified Wetland Scientist or Landscape Architect the restored areas within jurisdictional areas shall be monitored for 5 years post installation (during the height of the growing season) and reports shall be submitted to the Commission no later than November 1 8th of each year. Upon observation, dead or dying plantings or seeded areas shall be replanted, as seasonal conditions allow. Invasive species shall be monitored and removed manually upon observation. Detection of invasive species, an estimation of their coverage and management of same shall be included in said reports.
17. Methods for more involved management of invasive species (such as root barriers for Phragmites or herbicide application) shall be discussed with the Engineering Department and implementation of any proposed non-manual methods shall be reviewed and approved by the Town Engineer, Conservation Commission, or Administrator depending on type of methods proposed.
18. The planting areas shall exhibit an overall survivorship of at least 75% after three full growing seasons.
19. Upon beginning work, the applicant shall submit written progress reports every month detailing what work has been done in or near resource areas, and what work is anticipated

to be done over the next period. This will update the construction sequence and can be a part of the weekly erosion control reports.

20. Fertilizers utilized for landscaping and lawn care shall be slow release, low nitrogen types (<5%), and shall not be used within 50 feet of a wetland resource area. Pesticides and herbicides shall not be used within 50 feet of a wetland resource area

Recommendations by the Hudson Conservation Commission to the Planning Board to address recreational aspects of the property as a Final Conditions of approval by the Planning Board.

21. Pedestrian access shall be granted along the Steele Road extension in the form of an easement to allow for access to any agreed upon river trail recreation area, this easement should be shown on the final Site Plan of Record.
22. Proposed conservation easements discussed by the applicant for areas along the eastern and western portions of the property should be solidified in writing and legal agreements drawn up in tandem with the Site Plan approval process as part of any final condition of approval set forth by the Planning Board.
23. As this property abuts the Merrimack River, one of Hudson's biggest potential recreational asset. The Applicant, Planning Department, Engineering Department and the Conservation Commission should work together to establish a public river boat access location and launch facility, either on sight or at a location best suited for such a facility, that will provide the most accessible point for residents of Hudson as part of any final condition of approval set forth by the Planning Board. Funding for said site could be in the form of a financial contribution by the applicant in lieu of any other mitigation requirements proposed by the planning board.
24. A stipulation and or note should be added to the plan that states "Conservation Wetland Overlay District Markers shall be placed at 50 foot intervals along the wetland boundaries, post construction to clearly identify the conservation easements areas".

Motion second Mr. Brownrigg

During discussion of the motion made by Mr. Dickinson, Mr. Collins stated that the wording "A stipulation and or note should be added to the plan that states" to clarify stipulation #18 and #19

Mr. Dickinson asked if it was necessary to make any changes and recommended leaving the existing stipulation verbiage as is.

Mr. Brownrigg suggested adding a stipulation stating that wetland buffer boundary markers be installed either before or after construction. Mr. Collins suggested adding this as stipulation #24

Roll Call Vote: Mr. Brownrigg Yes, Mr. Dickinson Yes, Mrs. Hubert No, Mr. Collins Yes
Motion carried 3/1/0

Reason for Dissenting Vote: Mrs. Hubert Stated that her No vote was related to her inability to attend meetings in person and that it was difficult for her to provide direct and substantial input on this application.

The Chairman called for a recess at 10:29 p.m.

Chairman Collins called the meeting back into session at 10:36 p.m.

Due to the length of time taken up by the Hillwood presentation the Chairman entertained a motion to defer Old Business items b. and c., New Business items b., c., d., and e., Other Business items a., b. and c. until the HCC February. The Chairman apologized to those in the audience looking to address these items. Mr. Brownrigg moved the motion and Mr. Dickinson seconded it.

Roll Call Vote: Mr. Brownrigg Yes, Mr. Dickinson Yes, Mrs. Hubert No, Mr. Collins Yes
Motion carried 4/0/0

New Business item a: Forestry Management Plan for Rangers Town Forest

The only other matter taken up tonight was a short discussion on the Forestry Plan for Range Town Forest. Chairman Collins stated that Eric Radlof from Full Circle Forestry would be interested in generating the report which will include the additional acreage added during town meeting. Mr. Collins added that the quote for the plan is \$2830.00 for services rendered

Mr. Dickinson moved to accept the quote of \$2,830.00 received from Mr. Eric Radlof of Full Circle Forestry to draft a Forestry Management Plan for town property known as Rangers Town Forest (Map 160/Lot 048). Monies to be paid from the Conservation Commission, Professional Services Fund **06-4619-5586-217-000**. Motion second by Mr. Brownrigg.

Roll Call vote: Mr. Brownrigg Yes, Mr. Dickinson Yes, Mrs. Hubert Yes, Mr. Collins Yes

Motion carried 4/0/0

Motion to adjourn:

Mr. Brownrigg moved to adjourn the meeting., Motion second Mrs. Hubert.

Prior to a vote to adjourn Mr. Dickinson asked if a trail work day could be arranged. Mr. Collins said that a date could be set during the February HCC meeting.

Roll Call Vote: Mr. Brownrigg Yes, Mr. Dickinson Yes, Mrs. Hubert Yes, Mr. Collins Yes

Motion carried 4/0/0

Meeting adjourned at 10:45 p.m.

William Collins

William Collins, Chairman

DR